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NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND  
INTERFERENCES

In re application of: Bartley, et al. Docket No.: ROC920000298US1

Serial No.: 09/892,424 Group Art Unit: 2141

Filing Date: 6/27/01 Examiner: Luu, Le Hien

For: APPARATUS, METHOD, AND BUSINESS METHOD FOR ENABLING  
CUSTOMER ACCESS TO COMPUTER SYSTEM PERFORMANCE DATA IN  
EXCHANGE FOR SHARING THE PERFORMANCE DATA

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

Applicant or patent owner hereby appeals to the Board of Patent Appeals and Interferences from the decision dated 05/27/05, of the Examiner finally rejecting claims 1-22.

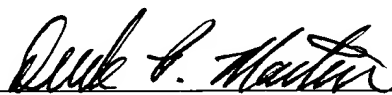
The items checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection.  
a. ☐ was obtained on \_\_\_\_\_ for \_\_\_\_\_ months(s).  
b. ☒ is hereby requested under 37 CFR 1.136.
2. ☒ Appeal fee amount \$500.00  
☒ Extension of time fee amount \$120.00  
a. ☐ Enclosed  
b. ☒ Charge to Deposit Account No. 09-0465 for IBM Corporation

One additional copy of this Notice is enclosed herewith.

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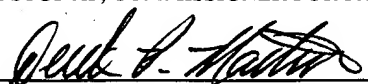
Respectfully submitted,

  
Derek P. Martin  
Reg. No. 36.595

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I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID, AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON: \_\_\_\_\_

SIGNED: 

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02 FC:1251 120.00 DA